

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, NOVEMBER 19, 2014**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:00 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were: Chairman Charlie Messer, Vice-Chairman Tommy Thompson, Commissioner Larry Young, Commissioner Mike Edney, Commissioner Grady Hawkins, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: PIO Kathryn Finotti (video-taping), Finance Director J. Carey McLelland, Senior Planner Director Autumn Radcliff, Budget Analyst Megan Powell, Director of Business and County Development John Mitchell, Assistant County Assessor Ed Parker, Assessor/Tax Collector Stan Duncan, HR Director Jan Prichard, Deputy County Attorney Sarah Zambon, Real Property Supervisor Nick Mazzarella, Commercial Appraiser Hank Outlaw, Captain Steve Carter, Planner Matt Champion, Interim Library Director Trina Rushing, Delinquent Tax Collector Lee King, Recreation Director Tim Hopkin, Fire Marshal Rocky Hyder, Registrar of Deeds Nedra Moles, and Deputy Mitchell Jacobsen as security.

CALL TO ORDER/WELCOME

Chairman Messer called the meeting to order and welcomed all in attendance.

INVOCATION

County Manager Steve Wyatt provided the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Eagle Scout Nathan Charles Duckett.

RECOGNITION OF EAGLE SCOUTS

Chairman Messer recognized three young men who recently acquired their Eagle Scout certification; Ryan Addison Haynes, William Edward H. McDade, and Nathan Charles Duckett. Chairman Messer noted it takes a lot of hard work and dedication to achieve the highest rank in scouting, which so few acquire. Nathan Charles Duckett was in attendance and was presented with a certificate of recognition.

PUBLIC HEARING

Public Hearing for Rezoning Application #R-2014-05 (A,B,C) Edneyville, Dana, and Green River-Tuxedo-Zirconia Community Plan Zoning Map Amendments

Commissioner Hawkins made the motion to go into Public Hearing for Rezoning Application #R-2014-05 (A,B,C) Edneyville, Dana, and Green River-Tuxedo-Zirconia Community Plan Zoning Map Amendments. All voted in favor and the motion carried.

Senior Planner Autumn Radcliff stated on February 19, 2014, the Board of Commissioners adopted the fourth community plan for the Green River-Tuxedo-Zirconia (GRTZ) area. The Community Plans are intended to be a 15 year vision where proposed recommendations of each plan are implemented where appropriate. Currently, only the rezoning recommendation for the Etowah-Horse Shoe Community Plan has been implemented.

Staff was directed to review and move forward with the rezoning recommendations for the adopted community plans before beginning the 5th community plan for the East Flat Rock Area. These plans included the Edneyville Community Plan, adopted on May 11, 2010; the Dana Community Plan, adopted on March 16, 2011; and the GRTZ Community Plan.

DATE APPROVED: December 1, 2014

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Planner Matt Champion provided an overview of the proposed zoning map amendments to the Henderson County Planning Board at the September 18th meeting and the October 16th meeting. The Planning Board formally considered rezoning application #R-2014-05 (A,B,C) at its regular scheduled meeting on October 16th. During that meeting, the Planning Board voted unanimously to send forward a favorable recommendation on rezoning the proposed zoning map amendments in the Edneyville, Dana, Green River-Tuxedo-Zirconia Community Plans.

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42A-314(C) and §42A-337(B) of the Henderson County Land Development Code and State Law, notices of the November 19, 2014, public hearing regarding rezoning application #R-2014-05 (A,B,C) were published in the Hendersonville Tribune on November 6, 2014 and November 13, 2014. The Planning Department posted signs advertising the hearing on the Subject Area on November 7, 2014.

After holding the required hearing, Planning Staff recommends that the Board of Commissioners approve the application to rezone the proposed zoning map amendments. State law requires that the Board adopt a written statement of consistency with the County Comprehensive Plan (CCP). A draft resolution was provided.

A. Edneyville Community Plan

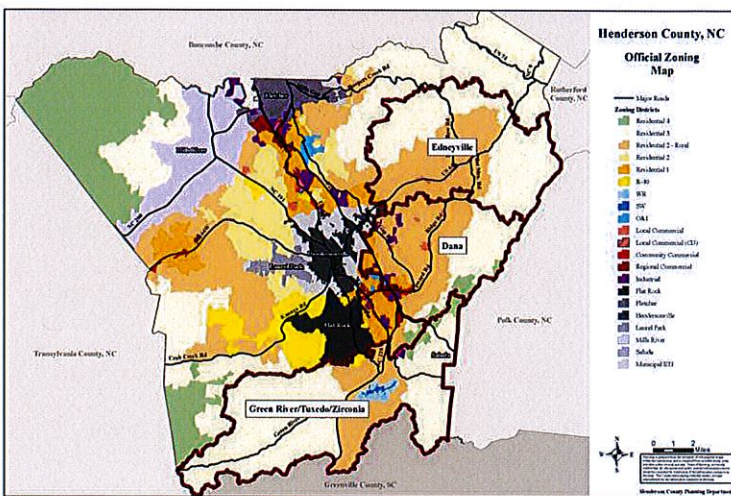
The Edneyville Community Plan was adopted by the Board of Commissioners on May 11, 2010. The adopted community plan proposed a series of zoning map amendments in the Land Use and Development section.

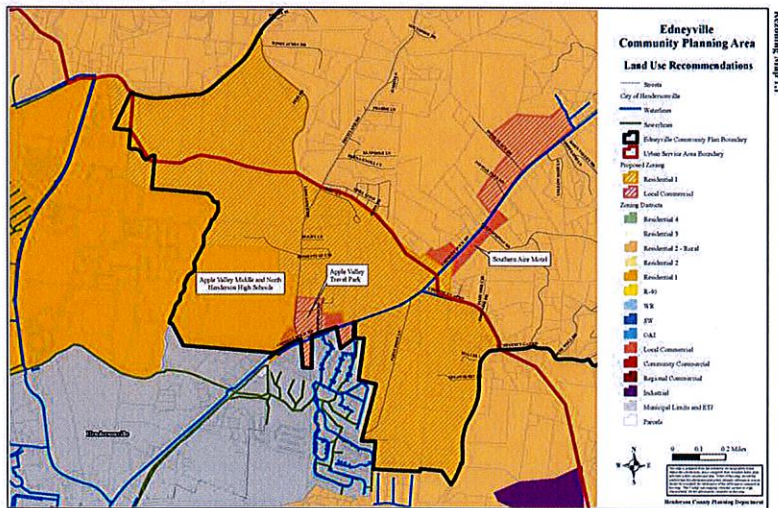
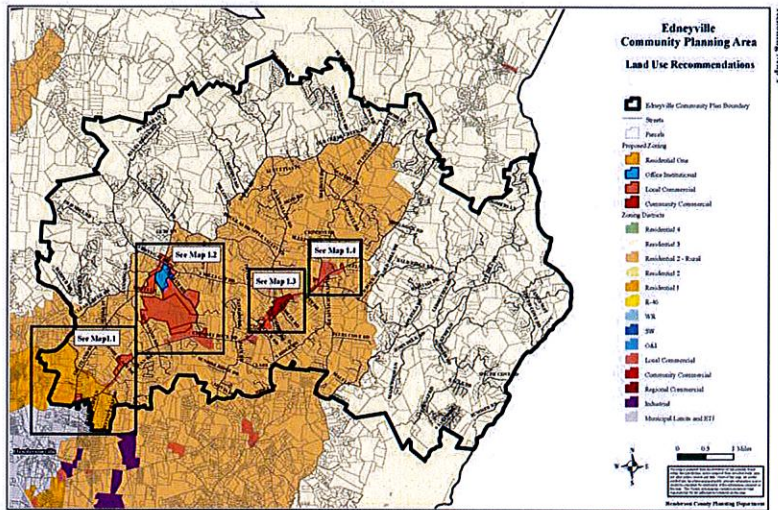
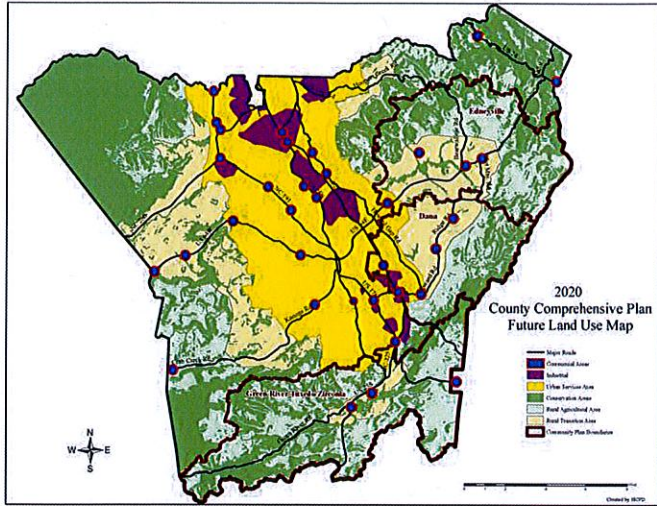
B. Dana Community Plan

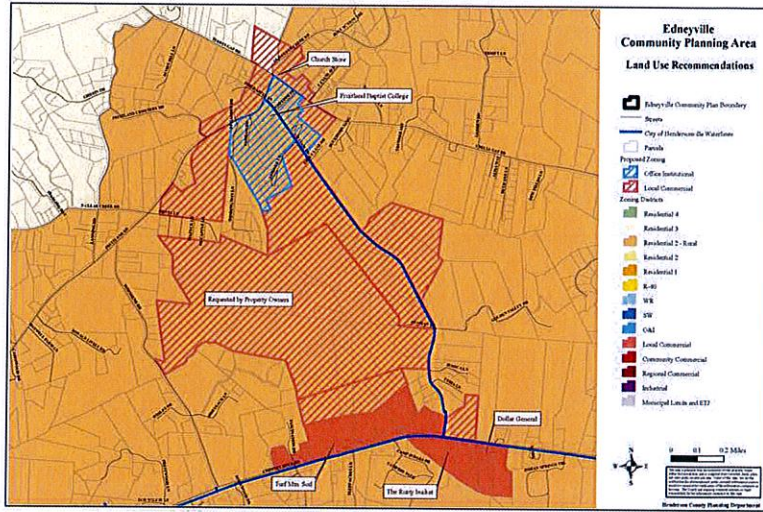
The Dana Community Plan was adopted by the Board of Commissioners on March 16, 2011. The adopted community plan proposed a series of zoning map amendments in the Land Use and Development section.

C. Green River, Tuxedo, and Zirconia Community Plan

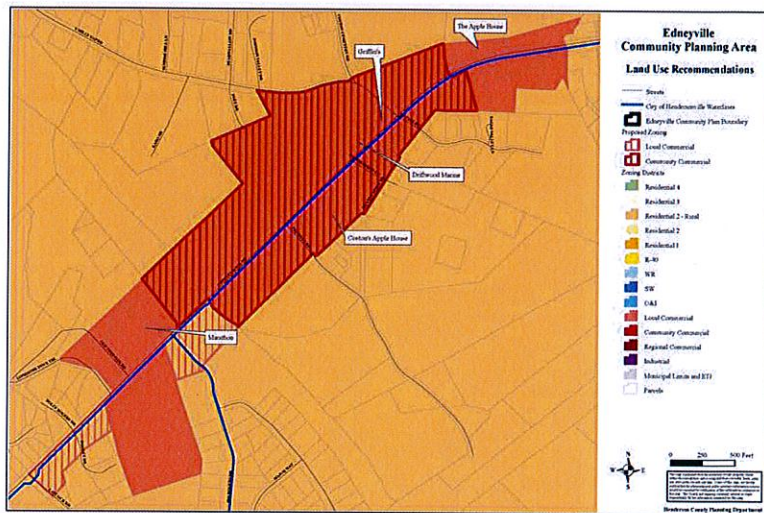
The Green River, Tuxedo, and Zirconia (GRTZ) Community Plan was adopted by the Board of Commissioners on February 19, 2014. The adopted community plan proposed a series of zoning map amendments in the Land Use and Development section.



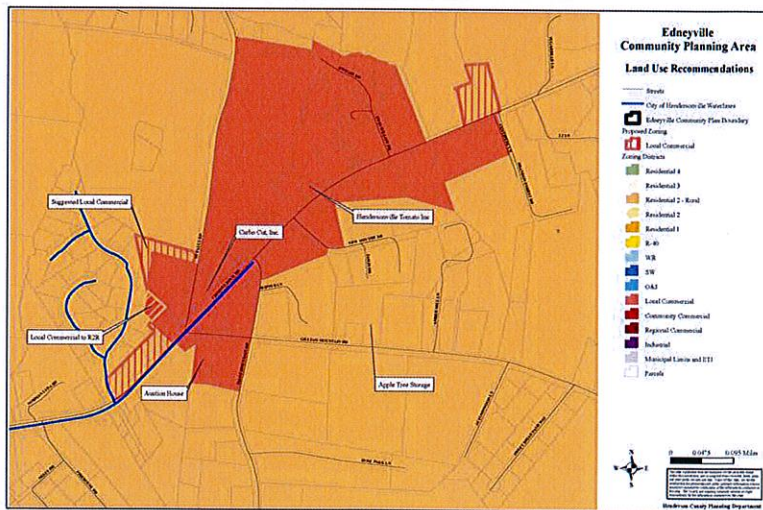




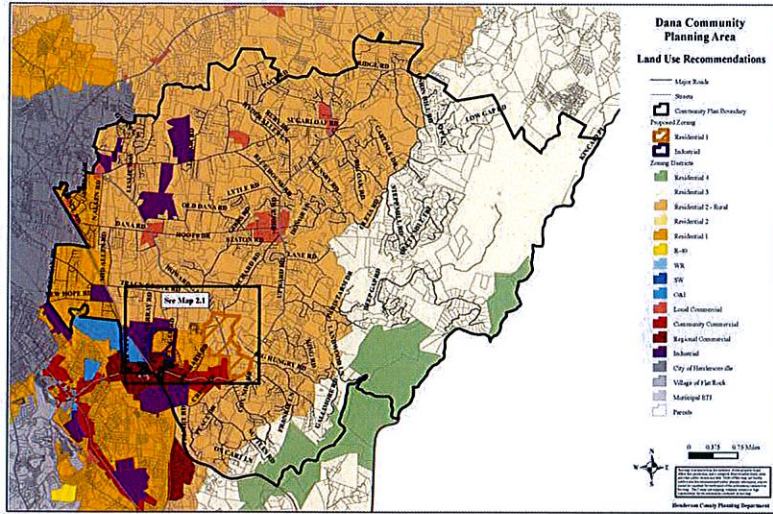
Revising Map 1.2



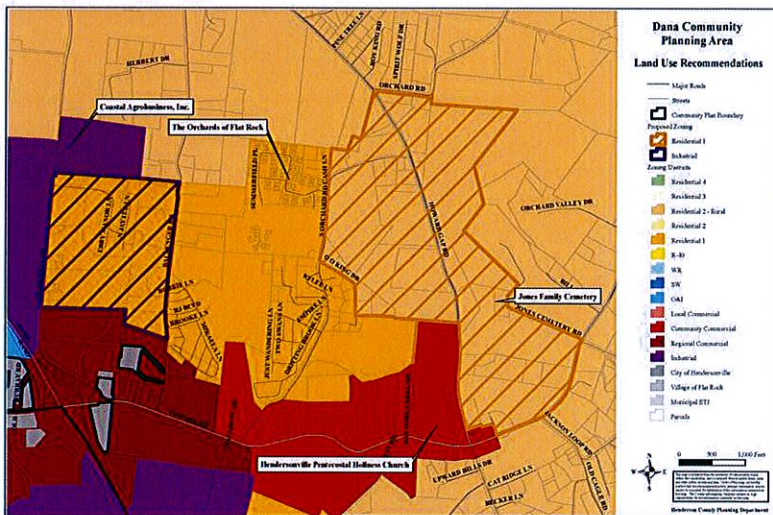
Revising Map 1.3



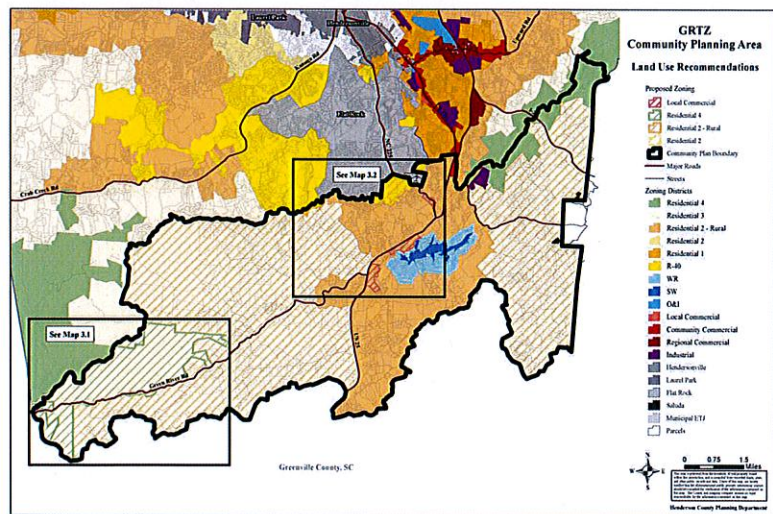
Revising Map 1.4



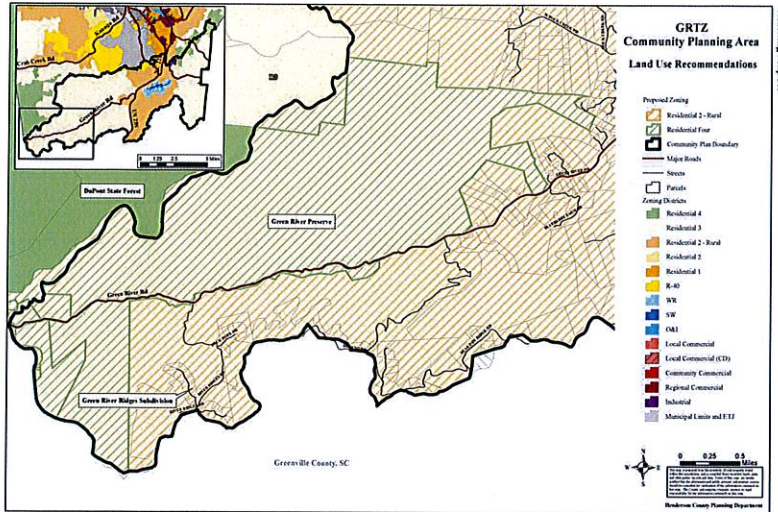
Recomm. Map 2



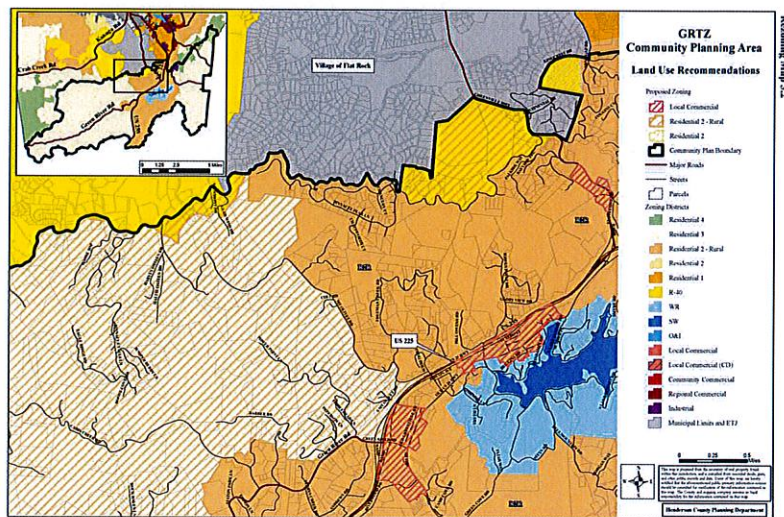
Recomm. Map 2.1



Recomm. Map 3



Resolving Map 3.1



Resolving Map 3.2

Public Input

There was none.

Commissioner Hawkins made the motion to go out of public hearing. All voted in favor and the motion carried.

Commissioner Edney suggested that the Board direct staff to look at making a commercial dock or area for the public with a change from R2 to Local Commercial zoning for Lake Summit in the near future.

Commissioner Hawkins made the motion that the Board adopts the resolution regarding the consistency with the CCP, and further moved that the Board adopts the proposed map amendments as presented, and at a future meeting look at the concept of expanding the local commercial district around Lake Summit. All voted in favor and the motion carried.

RECOGNITION OF REGISTER OF DEEDS – NEDRA MOLES

Chairman Messer recognized Nedra Moles for her many years of service to Henderson County.

Commissioner Edney read and presented a plaque to Mrs. Moles. The Board thanked her for an outstanding job during her service from December 5, 1994 until December 1, 2014.

Mrs. Moles thanked everyone for the opportunity she had been given. During her years she gained so much knowledge and many friends.

RECOGNITION OF COMMISSIONER – LARRY YOUNG

Chairman Messer recognized Commissioner Young for his twelve (12) years of service to the citizens of Henderson County. He noted that Henderson County had moved forward drastically during Mr. Young's years as a commissioner.

Commissioner Thompson read and presented a plaque to Commissioner Young.

Commissioner Hawkins read and presented a second plaque to Commissioner Young.

Commissioner Edney stated that most of the time he and Mr. Young had agreed. Mr. Young has sacrificed 12 years of his life to the County.

Mr. Young thanked God and the citizens for allowing him to be a commissioner.

INFORMAL PUBLIC COMMENTS

1. Larry Rogers, speaking on behalf of the Partnership for Economic Progress, recognized Larry Young and the great job he has done as a commissioner. Some of the things accomplished are Wingate University, Financing to Flat Rock Playhouse, new schools, hiring a construction manager, and hiring Steve Wyatt, just to name a few. Mr. Rogers thanked Commissioner Young for his service to Henderson County.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Thompson made the motion to adopt the agenda with as presented. All voted in favor and the motion carried.

CONSENT AGENDA

Commissioner Thompson made the motion to adopt the Consent Agenda as presented. All voted in favor and the motion carried.

CONSENT AGENDA consisted of the following:

Minutes

Draft minutes were presented for board review and approval of the following meeting(s):

November 3, 2014 – regularly scheduled meeting

Tax Collector's Report

Collections Specialist Luke Small had presented the Tax Collector's Report to the Commissioners dated November 6, 2014 for information only. No action was required.

Smoky Mountain Center – Quarterly Fiscal Monitoring Report (FMR) for the quarter ended September 30, 2014

N.C.G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The FMR for the Smoky Mountain Center was received by the County Finance Officer on October 30, 2014.

Request that the Board consider approving the Fiscal Monitoring Report from the Smoky Mountain Center for the quarter ended September 30, 2014.

Motion:

I move that the Board of Commissioners approves the Smoky Mountain Center Fiscal Monitoring Report for the quarter ended September 30, 2014.

Bid Award for Purchase of Sheriff Patrol Vehicles

The Board is requested to approve the low bid and authorize the Sheriff to proceed with purchasing thirteen (13) 2015 Dodge Chargers. Bidding was conducted between October 27 and November 3, 2014. The low bidder was Hendersonville Chrysler Dodge Jeep RAM for a total price of \$354,783.00

All thirteen (13) vehicles were approved as part of the Sheriff’s Fiscal Year 2015 budget and meet the Henderson County Vehicle Replacement Plan criteria.

Bids Received October 27- November 3, 2014 (13 Dodge Chargers, Model Year 2015)

VEHICLE(S)	Hendersonville Chrysler Dodge	Ilderton Dodge
13 Chargers, Black, w/Police Package	\$ 27,291.00 ea.	\$ 27,611.00 ea.
TOTAL	\$354,783.00	\$358,943.00

Motion:

I move the Henderson County Board of Commissioners to accept the low bid from Hendersonville Chrysler Dodge Jeep Dodge RAM for thirteen 2015 Dodge Chargers and authorize the Sheriff to proceed with the purchase.

Document approval relating to Henderson County Hospital Corporation Revenue Bond Financing

As previously approved by this Board’s action on October 15, 2014, the process of negotiation among the County, the Hospital Corporation, bond counsel, counsel for the lender (First Citizens Bank & Trust), UNC Health Care System, and others has been completed. The Bond Order is presented for the Board’s consideration and approval.

The Board of Commissioners (the “Board”) of the County of Henderson, North Carolina (the “County”) held a regular meeting in the County Administration Building, 1 Historic Courthouse Square, Hendersonville, North Carolina on November 19, 2014, at 9:00 a.m. The following Commissioners were:

Present: Chairman Charlie Messer, Vice-Chairman Tommy Thompson, Commissioner Mike Edney, Commissioner Larry Young, Commissioner Grady Hawkins.

Absent: None

The Chairman of the Board introduced the following bond order, the title of which was read and copies of which had been previously distributed to the Board:

BOND ORDER AUTHORIZING THE ISSUANCE AND SALE BY THE COUNTY OF HENDERSON, NORTH CAROLINA OF NOT TO EXCEED \$5,000,000 HOSPITAL REVENUE BOND (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT), SERIES 2014 OF THE COUNTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

BE IT ORDERED by the Board of Commissioners (the “Board”) of the County of Henderson, North Carolina (the “County”):

Section 1. The Board does hereby find and determine as follows:

- (a) The filing of an application with the North Carolina Local Government Commission (the "*Commission*") requesting approval of the issuance of its \$5,000,000 County of Henderson, North Carolina Hospital Revenue Bond (Margaret R. Pardee Memorial Hospital Project), Series 2014 (the "*2014 Bond*") for the purpose of providing funds relating to the financing by the Margaret R. Pardee Hospital and Henderson County Hospital Corporation of capital expenditures in connection with the Pardee Clinical and Physician Areas of the Mission Pardee Health Campus (the "*Project*") and certain costs relating to the issuance of the 2014 Bond, is hereby ratified and confirmed in all respects.
- (b) The County, by resolution, also requested the Commission to sell the 2014 Bond at private sale without advertisement.
- (c) The Commission has approved the application of the County for the issuance of the 2014 Bond in an aggregate principal amount not to exceed \$5,000,000 in accordance with N.C.G.S. 159-86.
- (d) The County has determined to issue the 2014 Bond in an aggregate principal amount not to exceed \$5,000,000 for the purpose of providing funds, together with other available funds, to (1) reimburse or fund the Project, and (2) pay certain costs and expenses incurred in connection with the issuance of the 2014 Bond.
- (e) The County proposes to sell the 2014 Bond to First-Citizens Bank & Trust Company (the "*Purchaser*").
- (f) There have been presented to the County at this meeting copies of the following documents relating to the issuance and sale of the 2014 Bond:
 - (i) Master Trust Indenture dated as of September 1, 2001 (the "*Master Indenture*") between the County and First-Citizens Bank & Trust Company, the successor to which is U.S. Bank National Association, as trustee (the "*Trustee*"); and
 - (ii) A draft of the Fifth Supplemental Trust Indenture dated as of December 1, 2014 between the County and the Trustee (the "*Fifth Supplemental Indenture*").
- (g) The County has determined that the issuance and sale of the 2014 Bond in the manner provided in this Bond Order is in the best interests of the County.

Section 2. Capitalized words and terms used in this Bond Order and not defined herein have the same meanings given such words and terms in the Master Indenture and the Fifth Supplemental Indenture.

Section 3. Pursuant to the provisions of The State and Local Government Revenue Bond Act, as amended (the "*Act*"), particularly N.C.G.S. 159-88, the County hereby authorizes the issuance of the 2014 Bond in an aggregate principal amount not to exceed \$5,000,000. The 2014 Bond will be issued as a fixed-rate, fully registered bond maturing in annual installments at such times and in such amounts as set forth in the Fifth Supplemental Indenture, subject to the provisions of this Bond Order and the Master Indenture.

Section 4. The 2014 Bond is subject to optional redemption at the times, on the terms and conditions, and at the prices as set forth in the Fifth Supplemental Indenture.

Section 5. The proceeds of the 2014 Bond will be applied as provided in the Fifth Supplemental Indenture.

Section 6. The 2014 Bond, together with any additional Bonds hereafter issued under the Master Indenture are secured on a parity basis by a pledge, charge and lien on the Net Revenues of

the Hospital System to the extent set forth in the Master Indenture. The 2014 Bond is additionally secured by a pledge, charge and lien on the funds in the 2014 Bond Fund to the extent set forth in the Fifth Supplemental Indenture.

Section 7. The form, terms and conditions of the Fifth Supplemental Indenture are hereby approved, and the Chairman and Vice Chairman of the Board are hereby authorized to execute and directed to deliver, or cause to be delivered, the Fifth Supplemental Indenture together with such changes, additions and deletions as the Chairman and Vice Chairman of the Board, with the advice of counsel, may deem necessary and appropriate, including, without limitation, changes, additions and deletions necessary to incorporate the final terms of the 2014 Bond as set forth in the Fifth Supplemental Indenture, such execution and delivery to be conclusive evidence of the approval and authorization in all respects of the form and content thereof and the Clerk or the Deputy Clerk are hereby authorized to attest to the same.

Section 8. The Chairman and Vice Chairman of the Board and the County Manager and the Finance Director of the County, or any of them or their deputies, are authorized and directed without limitation except as may be expressly set forth in this Bond Order to take such action and to execute and deliver such certificates, agreements, instruments, opinions or other documents as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this Bond Order, the Master Indenture and the Fifth Supplemental Indenture.

The officers of the County and the agents and employees of the County are hereby authorized and directed to do all acts and things required of them by the provisions of this Bond Order, the 2014 Bond, the Master Indenture and the Fifth Supplemental Indenture for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

Section 9. The issuance and private sale without advertisement of the 2014 Bond are hereby approved, subject to the terms and conditions set forth in this Bond Order.

Section 10. The County designates the 2014 Bond as a “*qualified tax-exempt obligation*” eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The County does not reasonably anticipate issuing more than \$10,000,000 of qualified tax-exempt obligations pursuant to such Section 265(b)(3), including all entities which issue obligations on behalf of the County and all subordinate entities of the County, during calendar year 2014 and will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to such Section 265(b)(3) during calendar year 2014.

Section 11. This Bond Order is effective immediately on its passage.

On motion of Commissioner Thompson the foregoing Bond Order entitled “BOND ORDER AUTHORIZING THE ISSUANCE AND SALE BY THE COUNTY OF HENDERSON, NORTH CAROLINA OF NOT TO EXCEED \$5,000,000 HOSPITAL REVENUE BOND (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT), SERIES 2014 OF THE COUNTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH” was passed by the following vote:

AYES:	5
NAYS:	0
ABSTAIN:	0

Motion:

I move that the Board approves the Bond Order, and further direct the Chair and staff to execute this document and related documents as required.

Inclement Weather/Emergency Closings Policy

Provided in the agenda was a proposed Inclement Weather and Emergency Closings Policy. The Board is

asked to adopt the policy in a manner that it will apply to all County employees.

Since the Board must set the hours of the Office of the Register of Deeds, pursuant to N.C. Gen. Stat. 161-8, the Office of the Register of Deeds is specifically referenced in the proposed motion. Both Nedra Moles and Lee King agree with this proposal.

Motion:

I move that the Board adopts the proposed Inclement Weather and Emergency Closings Policy, and that such policy apply to all County employees subject to the Board's direction, specifically including the Office of the Register of Deeds.

Notification of Vacancies

Chairman Messer noted the following vacancies and opened the floor to nominations.

1. Fire Commission – 2 vac.
2. Henderson County Historic Courthouse Corporation dba/Heritage Museum– 1 vac.
3. Henderson County Transportation Advisory Committee – 1 vac.
4. Henderson County Zoning Board of Adjustment – 4 vac.
5. Home and Community Care Block Grant Advisory Committee – 2 vac.
6. Laurel Park Planning Board – 1 vac.
7. Senior Volunteer Services Advisory Council – 2 vac.

Nominations

1. Animal Services Advisory Committee – 1 vac.

There were no nominations at this time and this item was rolled to the next meeting.

2. EMS Peer Review Committee – 2 vac.

There were no nominations at this time and this item was rolled to the next meeting.

3. Hospital Corporation Board of Directors/UNCH – 1 vac.

There were no nominations at this time and this item was rolled to the next meeting.

4. Juvenile Crime Prevention Council – 4 vac.

There were no nominations at this time and this item was rolled to the next meeting.

5. Library Board of Trustees – 1 vac.

Commissioner Young nominated Thomas Orr for position #9. *Chairman Messer made the motion to accept the appointment of Thomas Orr to position #9 by acclamation. All voted in favor and the motion carried.*

6. Mountain Area Workforce Development Board – 3 vac.

There were no nominations at this time and this item was rolled to the next meeting.

7. Mountain Valleys Resource Conservation and Development Program – 1 vac.

There were no nominations at this time and this item was rolled to the next meeting.

8. Nursing/Adult Care Home Community Advisory Committee – 4 vac.

There were no nominations at this time and this item was rolled to the next meeting.

9. Senior Volunteer Services Advisory Council – 1 vac.

There were no nominations at this time and this item was rolled to the next meeting.

ADDRESS TO THE BOARD

Fletcher Mayor Pro-Tem Eddie Henderson had requested to be on the Board's agenda. Mr. Henderson noted today is a follow-up to the February 19, 2014 meeting, and the possibility of a new library in the Town of Fletcher. The existing library is highly utilized and has structural damage. Fletcher has outgrown the building. The Town of Fletcher has offered land to build the new library. They would like something in writing from the Board of Commissioners on status of a new library and more equipment in writing.

Chairman Messer stated the possibility of a new Fletcher Library would be part of the budget retreat session in January, followed up with a letter to the Town of Fletcher.

2015 REAPPRAISAL

Assessor/Tax Collector Stan Duncan requested the adoption of the 2015 Schedules of Values, Standards, and Rules for Market Value and Present-Use Value. Mr. Duncan provided a handout with amendments and provided a brief review.

Commissioner Thompson made the motion that the Board adopts the 2015 Schedules of Values, Standards, and Rules for Market Value, as amended.

Commissioner Young made them motion that the Board adopts the 2015 Schedules of Values, Standards, and Rules for Present-Use Value and the Wildlife conservation Land Program as originally presented. All voted in favor and the motion carried.

DONATION OF LAND TO THE COUNTY FOR US64 FRENCH BROAD RIVER ACCESS

Recreation Director Tim Hopkin stated in 2012 the county began to collaboratively work with public and private entities to identify and develop recreational access to the French Broad River (FBR) in Henderson County. Emphasis for the formation of the FBR Access Collaborative Group (Group) came from Sierra Nevada Brewing Company's interest to draw attention to outdoor activities such as boating access and greenway trails associated with the FBR.

Land along US64W next to the bridge where it crosses the French Broad River was identified. The Carolina Mountain Land Conservancy (CMLC) has secured ownership of the land and is ready to donate it to the county for a river access park. The North Carolina Wildlife Resources Commission (WRC) has agreed to build and construct the river access park. Henderson County would then manage and care for the park in collaboration with WRC. The park would provide public river access.

Staff requests that the BOC accept the land being donated by CMLC for the purpose of developing a river access park. This park would be designed and constructed by WRC. Ownership and management of the park would belong to Henderson County and the Parks and Recreation Department.

Doug Besler of the Division of Inland Fisheries - North Carolina Wildlife Resources informed the Board that the only expense by the County would be mowing and removal of garbage.

Chairman Hawkins made the motion that the Henderson County Board of Commissioners accepts the donation of 1.6 acres of land for the proposed US64 French Broad River Access. All voted in favor and the motion carried.

HENDERSON COUNTY AUDIT RESULTS FOR THE FISCAL YEAR ENDED JUNE 30, 2014

Finance Director Carey McLelland introduced Mrs. Erica Brown, CPA and Senior Audit Manager with our external audit firm, Martin Starnes and Associates. Mrs. Brown, CPAs, P.A. provided a brief executive summary presentation on the fiscal year ended June 30, 2014 audit results. Mrs. Brown and Carey McLelland, Finance Director, were available to answer any questions the Board of Commissioners and

Management may have had regarding the results of the audit.

The Comprehensive Annual Financial Report (CAFR) and Compliance Letters have not received final approval from the Local Government Commission (LGC) as required and have not been finalized for print prior to the agenda deadline for this meeting. Staff does not expect any substantive changes to the report. However, our external auditors and staff will report back to the Board and Management should any substantive changes occur after the LGC has reviewed the County's report. Final bound copies of the report will be provided to the Board and Management as soon as they have been printed and received.

July 1, 2013 – June 30, 2014

General Fund Expenditures

▪ Budgeted expenditures	\$112,870,454
▪ Actual expenditures	<u>\$108,261,857</u>
▪ Net expenditures under budget	\$ 4,608,597

General Fund revenues

▪ Budgeted revenues	\$106,051,177
▪ Actual revenues	<u>\$110,935,313</u>
▪ Net revenues over budget	\$ 4,884,136

General Fund Summary Report

	Actual
▪ Total Revenues	\$110,935,313
▪ Total Expenditures	<u>\$108,261,857</u>
▪ Revenues over expenditures	\$ 2,673,456

Other financing sources

▪ Installment debt issued	\$ 308,997
▪ Transfers in	\$ 136,657
▪ Transfers out	<u>\$ (913,466)</u>
▪ Total other financing sources	\$ (467,812)
▪ Net change in fund balance	<u>\$ 2,205,644</u>

Fund Balance Position General Fund

▪ Unassigned Fund Balance	\$ 24,141,639
▪ BOC Policy Level (12%)	<u>\$ 13,101,039</u>
▪ Amount Over BOC Policy	\$ 11,040,600

The final report will also be placed on the County's website for the public to view and placed in the main branch of the public library.

ENVIRONMENTAL ADVISORY COMMITTEE DISCUSSION

The Chair of the Henderson County Environmental Advisory Committee (EAC) had requested that the Board of Commissioners discuss the direction and possible future projects of this committee.

Commissioner Hawkins stated that the Chair of the EAC is looking for guidance as most of their duties have been assigned to other agencies. The Charter may no longer be valid and needs review once again. He suggested looking at each Board for possible consolidation or consideration of dissolving.

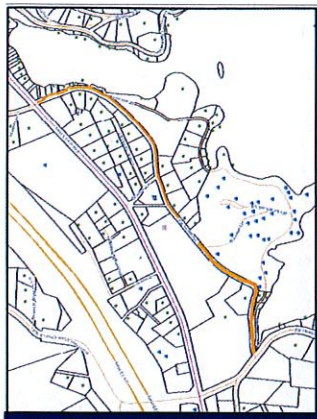
DONATION OF RIGHT OF WAY FOR PAVING SR1853 (HUGGINS ROAD)

John Mitchell stated staff received a letter from Steve Cannon, District Engineer for NCDOT, informing Henderson County that SR1853 (Huggins Road) has been moved up on the priority list for the paving. Henderson County owns the property at Parcel Identification Number 9575642488 (Tuxedo Park).

DOT is determining if the property owners with road frontage are in favor of paving Huggins Road. If a positive response is received, DOT will schedule surveys to determine the proposed ROW location before formally requesting ROW donation. DOT is proposing a 50 foot ROW along Huggins Road. Henderson County may have to donate some property to meet the 50 foot ROW requirement. If 100% of the property owners do not agree with the ROW donation, the project will be re-prioritized to the bottom of the paving list.

The Board considered the request at its November 3rd meeting and directed staff to investigate any impacts to the proposed Tuxedo Park. Staff has reviewed the current ROW along Huggins Road and the proposed 50-foot ROW requirement to determine any impacts to the Tuxedo Plan. Staff has determined no known impacts to the proposed park if the road is paved.

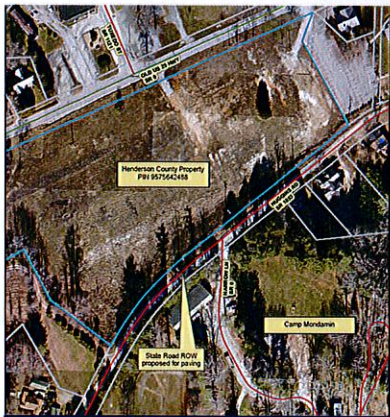
Staff recommends the Board direct Staff to communicate to DOT that the County will consider supporting the paving of Huggins Road in the event that 100% of the property owners are in favor and provided that no impacts to the Tuxedo Park are identified.



Huggins Road – Proposed Area for Paving Project

- NCDOT is determining if property owners with frontage on Huggins Road is in favor of paving the road.
- On November 3, 2014, BOC considered the request and directed Staff to identify any impacts to the Tuxedo Park.
- Staff identified no known impacts to the park.

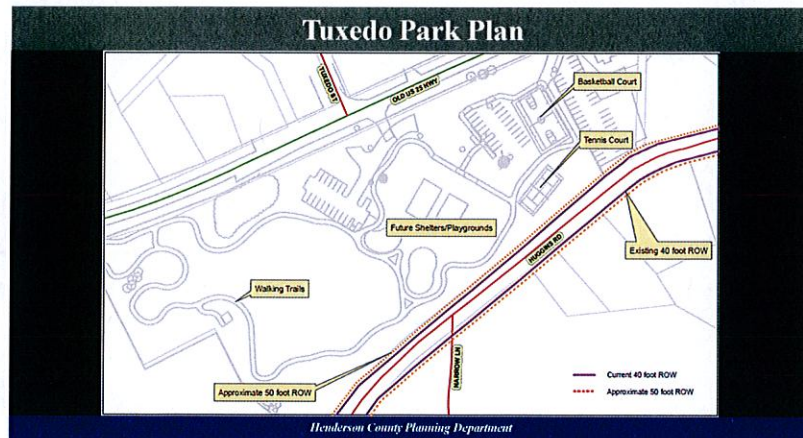
Henderson County Planning Department



Proposed Donation of ROW Huggins Road

- NCDOT is proposing a 50 foot ROW along Huggins Road.
- Henderson County may have to donate some property to meet the 50 foot ROW requirement (measured 25 feet from the centerline of the street).

Henderson County Planning Department



Commissioner Thompson made the motion that the Board requests NCDOT to notify the County, if at such time, 100% of the property owners are in favor of paving Huggins Road. The Board will at that time consider the request. All voted in favor and the motion carried.

COUNTY MANAGER'S REPORT

Steve Wyatt recommended Board recognition of Mrs. Bettye Young, wife of Commissioner Larry Young. Mr. & Mrs. Young have been married for 53 years. During Mr. Young's 12 years service as a commissioner, Mrs. Young provided support and guidance.

Commissioner Hawkins made the motion to include the previous comment in the minutes. All voted in favor and the motion carried.

IMPORTANT DATES

The next meeting of the Board is December 1, 2014 at 5:30 p.m., and three commissioners will be sworn in.

December 5, 2014 is the annual employee Christmas luncheon at the Activity Center gym.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a), for the following reason(s):

Pursuant to N.C. Gen. Stat. §143-318.11(a)(1), to prevent disclosure of information that is privileged or confidential pursuant to the law of North Carolina or the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes. The matter is not a public record pursuant to the provisions regarding approval of closed session general accounts, which are not public records until first approved and then opened by Board action following proper procedure.

Pursuant to N.C. Gen. Stat. §143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in Henderson County, including agreement on a tentative list of economic development incentives that may be offered by the Board in negotiations.

Pursuant to N.C. Gen. Stat. §143-318.11(a)(5), to establish, or to instruct the staff or agents, concerning the position to be taken by or on behalf of the County in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease.

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat.

November 19, 2014

16

§143-318.11(a)(1), (a)(4) and (a)(5), for the reasons set out in the Request for Board Action in the Board's agenda packet. All voted in favor and the motion carried.

ADJOURN

Commissioner Thompson made the motion to go out of closed session and adjourn at 12:50 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Charles D. Messer, Chairman

Office of the Henderson County Tax Collector

200 NORTH GROVE STREET, SUITE 66

HENDERSONVILLE, NC 28792

PH: (828) 697-5595 | FAX: (828) 698-6153

Henderson County Board of Commissioners
1 Historic Courthouse Square, Suite 1
Hendersonville, NC 28792

Thursday, November 06, 2014

Re: Tax Collector's Report to Commissioners - Meeting Date 19 November 2014

Please find outlined below collections information through 05 November 2014 for the 2014 real and personal property bills mailed out on 28 August 2014, as well as registered motor vehicles billed and collected by our office. As a point of reference, we also have included collections information as of the same date last year.

Annual Bills G01 Only:

2014 Beginning Charge: \$59,724,227.50
Discoveries & Imm. Irreg.: \$97,397.12
Releases & Refunds: (\$27,017.63)
Net Charge: \$59,794,606.99
Unpaid Taxes: \$43,128,676.27
Amount Collected: \$16,665,930.72
Percentage Collected: 27.87%
Through: 5-Nov-2014

2013 Beginning Charge: \$58,575,889.42
Discoveries & Imm. Irreg.: \$253,388.51
Releases & Refunds: (\$211,185.41)
Net Charge: \$58,618,092.52
Unpaid Taxes: \$39,347,262.10
Amount Collected: \$19,270,830.42
Percentage Collected: 32.88%
Through: 5-Nov-2013

Motor Vehicle Bills G01 Only:

2014 Beginning Charge: \$12,046.25
Discoveries & Imm. Irreg.: \$0.00
Releases & Refunds: (\$1,099.92)
Net Charge: \$10,946.33
Unpaid Taxes: \$3,223.36
Amount Collected: \$7,722.97
Percentage Collected: 70.55%
Through: 5-Nov-2014

2013 Beginning Charge: \$2,526,642.22
Discoveries & Imm. Irreg.: \$1,634.52
Releases & Refunds: (\$42,853.20)
Net Charge: \$2,485,423.54
Unpaid Taxes: \$979,016.92
Amount Collected: \$1,506,406.62
Percentage Collected: 60.61%
Through: 5-Nov-2013

Fire Districts All Bills:

2014 Beginning Charge: \$6,647,947.26
Discoveries & Imm. Irreg.: \$7,197.95
Releases & Refunds: (\$3,324.12)
Net Charge: \$6,651,821.09
Unpaid Taxes: \$4,723,003.24
Amount Collected: \$1,928,817.85
Percentage Collected: 29.00%
Through: 5-Nov-2014

2013 Beginning Charge: \$6,856,188.21
Discoveries & Imm. Irreg.: \$40,130.43
Releases & Refunds: (\$32,014.22)
Net Charge: \$6,864,304.42
Unpaid Taxes: \$4,464,157.76
Amount Collected: \$2,400,146.66
Percentage Collected: 34.97%
Through: 5-Nov-2013

Respectfully submitted,



Luke Small
Collections Specialist

Stan C. Duncan
Tax Collector



RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §153, Article 18, the Henderson County Board of Commissioners exercises regulations relating to development within the County's jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Board desires to update and revise the regulations of the LDC; and

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2014-05 (A,B,C); and

WHEREAS, pursuant to N.C. General Statute §153-323, the Planning Director provided the prescribed public notice and the Board held the required public hearing on November 19, 2014; and

WHEREAS, N.C. General Statute §153-341 requires the Board to adopt a statement of consistency with the County Comprehensive Plan (CCP); and

NOW THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. That the Board reviewed the proposed map amendments #R-2014-05 – (A,B,C) Edneyville, Dana, and Green River-Tuxedo-Zirconia Community Plan Rezonings and finds that it reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
2. That the Board determines that the proposed map amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS the 19th day of November, 2014.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: Charlie Messer
CHARLIE MESSER, Chairman

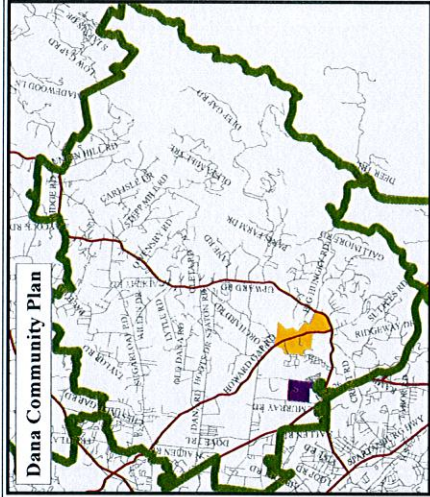
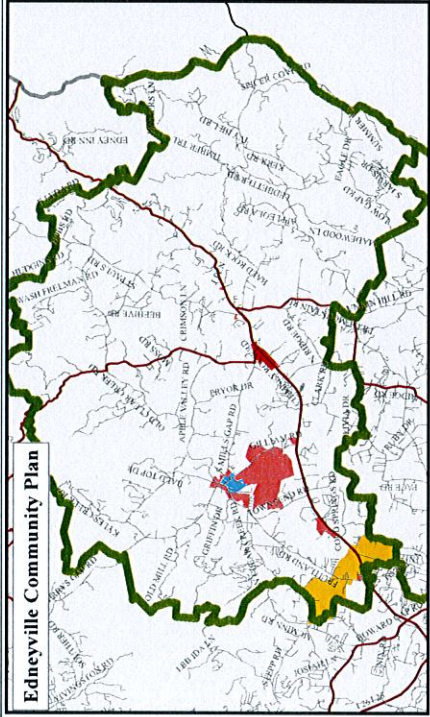
ATTEST:

Terry Wilson
Terry Wilson, Clerk to the Board

[COUNTY SEAL]



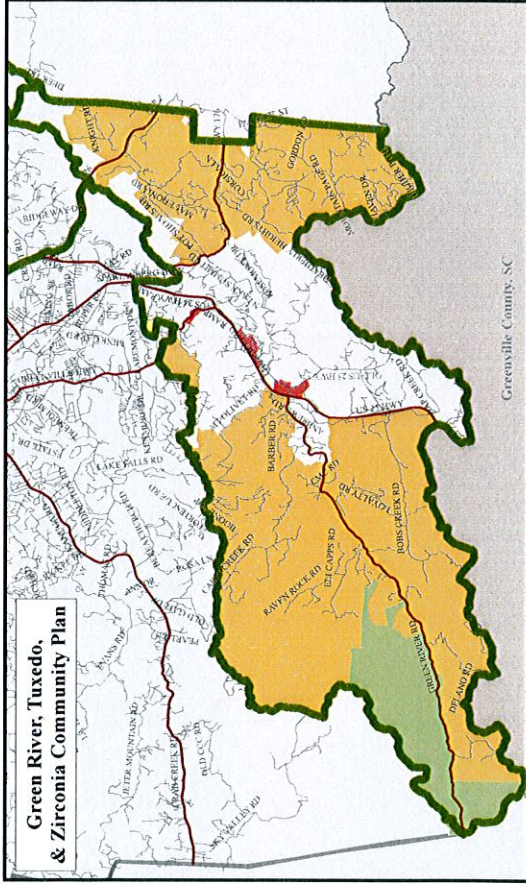
NOTICE OF PUBLIC HEARING ON PROPOSED ZONING MAP AMENDMENT (Rezoning Requests #R-2014-05 (A,B,C))



Edneyville, Dana & GRITZ Community Plans Land Use and Developments Recommendations

Proposed Zoning Map Amendments

- Major Roads
- Community Plan Boundaries
- Residential One
- Residential Two
- Residential Two Rural
- Residential Four
- Local Commercial
- Community Commercial
- Office Institutional
- Industrial



The Henderson County Board of Commissioners will hold a public hearing for the proposed map amendments to the Official Zoning Map of Henderson County, North Carolina.

The proposed zoning map amendments are the product of the small area plans in Edneyville (adopted May 11, 2010), Dana (adopted March 16, 2011), and Green River-Tuxedo-Zirconia (adopted February 19, 2014). These rezonings were reviewed and recommended by the Henderson County Planning Board at its October 16th meeting.

The Henderson County Board of Commissioners will hold a public hearing on the proposed zoning map amendments that would rezone approximately 28,427.7 acres within Henderson County. The Edneyville Community Plan Land Use Recommendations propose a total of approximately 1,137.5 acres to be rezoned. The following list indicates the approximate acreage of each zoning change within the Edneyville Community Plan: 495.2 acres to Local Commercial (LC), 52.8 acres to Office and Institutional (OI), 537.8 acres to Residential One (R1), and 51.8 acres to Community Commercial (CC). The Dana Community Plan Land Use Recommendations propose a total of approximately 310.3 acres to be rezoned. 222.7 acres to Residential One (R1) and 87.6 acres to Industrial (I) represent proposed zoning map amendments for the Dana Community Plan. The Green River-Tuxedo-Zirconia (GRITZ) Community Plan Land Use Recommendations propose a total of approximately 26,966.1 acres to be rezoned. The following list indicates the approximate acreage of each zoning change within the GRITZ Community Plan: 3,409.9 acres to Residential Four (R4), 207.0 acres to Local Commercial (LC), 23,322.8 acres to Residential Two Rural (R2R), and 40.1 acres to Residential Two (R2). The proposed zoning map amendments can be viewed on the Henderson County Planning Department at www.hcplanning.org to see the affected parcels. Additionally, Planning Department Staff will have printed maps available for view in the Planning Department (See Address Below).

The public hearing will be held on Wednesday, November 19, 2014, at 9:00 A.M. in the Board of Commissioners Meeting Room located in the Henderson County Historic Courthouse, at 1 Historic Courthouse Square, in Hendersonville, NC. The public is invited to attend and comment on the proposed amendment. Written comments addressed to the Henderson County Board of Commissioners, 1 Historic Courthouse Square, Suite 1, Hendersonville, NC 28792, will be accepted prior to the hearing. Information about the proposed amendment is available for review in the Henderson County Planning Department, 100 N. King Street, Hendersonville, NC, between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday, or on the Henderson County Website at www.hcplanning.org. For more information, call the Planning Department at (828) 697-4819.

Please note that after considering public hearing comments, the Board of Commissioners may discuss other options or make changes to the proposed amendments before taking final action. The Henderson County 2020 Comprehensive Plan will be updated and amended, as necessary, to reflect the action of the Board of Commissioners.

Terry Wilson
Clerk to the Board
Henderson County Board of Commissioners
(HL1229) 11/6 11/13



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Henderson County Planning Department

HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1
Hendersonville, North Carolina 28792
Phone: 828-697-4808 • Fax: 828-692-9855
www.hendersoncountync.org

CHARLES D. MESSER
Chairman
THOMAS H. THOMPSON
Vice-Chairman

LARRY R. YOUNG
J. MICHAEL EDNEY
GRADY H. HAWKINS

November 19, 2014

Mr. Steve Cannon
4142 Haywood Road
Mills River, NC 28759

Subject: Paving Huggins Road
Reference Number: H1853-021

Mr. Cannon,

At the November 3, 2014 Commissioners meeting, the Board was officially informed that SR1853 (Huggins Road) had been moved up on the priority list for paving, and that NCDOT was determining if property owners with road frontage were in favor of the project. The paving project will require a donated 50 foot ROW (measured 25 feet each side from the roadway centerline) from all property owners.. Henderson County owns the property at Parcel Identification Number 9575642488 (Tuxedo Park), and would be required to donate some property to meet the 50 foot ROW requirement.

The Board considered the request by NCDOT, and directed staff to investigate any impacts to the proposed Tuxedo Park. Staff reviewed the current ROW along Huggins Road and the proposed 50 foot ROW requirement to determine any impacts and it was determined that no known impacts to the proposed park are noted if the road is paved.

At the Board of Commissioners November 19, 2014 meeting, a motion was made that the Board requests NCDOT to notify the County, if at such time, 100% of the property owners are in favor of paving Huggins Road, and at the time the Board will consider the request. The motion passed unanimously.

The Board will not consider future paving request involving County owned land unless 100% of the property owners are in favor of the project.

Sincerely,



Charles D. Messer, Chairman
Henderson County Board of Commissioners